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February 10, 1997

Nancy Crowe
Regulatory Policy Division
Bureau of Export Administration
Department of Commerce
14th Street and Pennsylvania Ave., N.W., Room 2705
Washington, D.C., 20230

Dear Ms. Crowe:

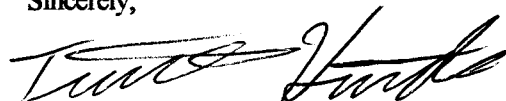
I write in opposition to the proposed Interim Rule regarding "Encryption Items Transferred From the U.S. Munitions List to the Commerce Control List", Docket Number 960918265-6366-03, RIN 0694-AB09.

The development and sale of strong encryption technology is in the interest of the citizens of the United States. Encryption should not be treated as a form of munitions at all, but rather as a resource for the privacy and security of the individual and of the nation. The federal government is attempting to deny citizens access to strong encryption and deny them the ability to use that encryption as they see fit, including to export it worldwide. This represents an unnecessary and inappropriate restriction upon the freedoms for which our nation was founded. The Administration's insistence upon putting forward schemes for the control or limitation of encryption technology are inconsistent with the liberal democratic tradition of free speech and protection from unjustified search and seizure. The invocation of a threat from foreign terrorists and domestic criminals as a justification for the restriction of upright and peaceable citizens' rights is neither intellectually honest nor logically consistent. If encryption is a weapon, then "the right of the people to keep and bear" encryption should not be abridged. If it is not a weapon, then it is a resource that should not be restricted to government use, but should be available to the people.

The proposed Interim Rule attempts to force the development of an infrastructure for key escrow encryption world-wide through the manipulation of the U.S. market in encryption technology. The purpose of key encryption is to allow governments to break into the private affairs of all persons and organizations. Frankly, I do not trust the federal government to uphold my privacy and the security of my affairs. A government that has broken into the Watergate and perused FBI files on political enemies is not my guarantor of choice for my privacy. The proposed rule is an inappropriate manipulation toward an undesirable end.

I recommend and request that the Department of Commerce move expeditiously to remove export controls from encryption entirely. This will allow the technology to flourish in a free market and be used by a free people. Thank you for your attention in this matter.

Sincerely,



Timothy Hinds